



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 1

5 Post Office Square, Suite 100  
BOSTON, MA 02109-3912

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

May 22, 2014

Linda T. Landis, Senior Counsel  
Public Service of New Hampshire  
P.O. Box 330  
Manchester, NH 03305-0330

Re: Public Comment Period Extension Request for NPDES Permit Re-issuance, NPDES Permit  
No: NH0001465

Dear Ms. Landis:

On April 18, 2014, the New England Regional office of the United States Environmental Protection Agency (Region 1 or the Region) issued a revised draft National Pollutant Discharge Elimination System (NPDES) permit (NPDES Permit No: NH001465) (the Revised Draft Permit) to Public Service of New Hampshire's (PSNH or the company) Merrimack Station electrical generating facility in Bow, New Hampshire. Using the procedures of 40 C.F.R. § 124.14(a), Region 1 decided to provide an initial public comment period of 60 days. In addition, consistent with 40 C.F.R. § 124.14(a)(1), Region 1 provided an additional 35-day comment period – extending from the close of the first comment period described above – during which any interested person would be permitted to file a written response to the material filed by any other person. Region 1 explained in the Fact Sheet that although the regulations require a minimum period of 20 days for such responsive comments, Region 1 concluded that it would be reasonable to round that time period up to one full month (i.e., 30 days) and add five more days to allow the Region time to assemble the public comments and make them available on the Region's website at <http://www.epa.gov/region1/npdes/merrimackstation/index.html>.

On May 8, 2014, you sent a letter to Region 1 on behalf of PSNH requesting a 60-day extension of the initial public comment period and providing the company's reasons for this request. While Region 1 does not agree with all of the arguments presented in your letter, suffice to say that we agree that this is a complicated permit proceeding and acknowledge your indication that the additional time will help ensure that PSNH is able to file meaningful comments on the Revised Draft Permit. Moreover, if this additional time will assist PSNH to develop its comments on the Revised Draft Permit, it is also sure to assist any other interested members of the public wishing to submit comments. Having considered your request, Region 1 has decided to extend the initial comment period by the requested 60 days. As a result, the initial public comment period will now close on August 18, 2014. The Region is responding to this request at this time in order to give all interested parties the soonest possible notice of the new deadlines so that they may plan accordingly.

Although not requested, the Region has also decided to extend the additional 35-day comment period by another 30 days (thus doubling the original 30 days to make it 60 days, plus the additional five days to give the Region time to assemble and make available the public comments). This extension will allow commenters additional time to read and respond to the expected greater volume of comments received during the extended initial comment period. Therefore, between August 18, 2014 and October 22, 2014, any interested party may file a written response to the material filed by any other person during the initial comment period.

The Region will issue a new public notice in a local newspaper to inform the public of these changes. With these extensions, both the initial and additional comment periods have been doubled. If you have any technical questions regarding this Revised Draft Permit public comment period extension, please contact Sharon DeMeo at (617) 918-1995. If you have legal questions, please direct them to Mark Stein at (617) 918-1007.

Sincerely,



David Webster, Director  
Water Permits Branch  
Office of Ecosystem Protection

cc: Permit File;  
Mark Stein, Esq., EPA  
Stergios Spanos, New Hampshire Department of Environmental Services